

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/776,748	SAWADA ET AL.	
	Examiner	Art Unit	
	Dismery E. Mercedes	2651	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to comm. filed 11/1/2005.
2. ☒ The allowed claim(s) is/are 1,4-6,9-11,14 and 15.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments see pages 2-3 of Applicant's Remarks, filed 11/1/2005, with respect to claims have been fully considered and are persuasive. The 103(a) rejection of claims 1, 6, 11 has been withdrawn.

### *Allowable Subject Matter*

2. Claims 1,4-6, 9-11,14-15 allowed.

3. The following is an examiner's statement of reasons for allowance:

Independent Claims 1, 6 and 11 are allowable over the Prior Art of Record, since the cited references, in particular Sugawara et al. (US 2003/0030930 A1); Vis et al. (US 6,530,060 B1), taken alone or in combination do not teach or suggest: *a frequency offset detecting unit that detects, during the predetermined time, a frequency offset that is a frequency difference between a clock of the read signal and an operation clock of the information recording/reading apparatus using the timing reproduction data that is split and recorded in the recording medium; wherein the timing reproduction data is cyclic waveform data divided into a plurality of blocks, a phase of the timing reproduction data that is split and recorded in the recording medium is continuous, and the frequency offset detecting unit detects the frequency offset based on a difference between a phase difference of a cyclic waveform of a leading block from a reference waveform and a phase difference of a cyclic waveform of an ending block from the reference waveform.*

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2651

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Sugawara et al. (US 2003/0030930 A1); Vis et al. (US 6,530,060 B1) ; Harris (US 5,422,763); Tanaka et al. (US 5,881,037); Kuroda et al. (US 6,178,057 B1) ; Belser (US 6,008,960); Malone Sr (US 6,583,943 B2); Leis et al. (US 5,036,408); Rae et al. (US 6,594,094 B2).


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dismery E. Mercedes whose telephone number is 571-272-7558. The examiner can normally be reached on Monday - Friday, from 9:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dismery E Mercedes  
Examiner  
Art Unit 2651

DM



DAVID HUDSPETH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600